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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9) Case No.: 2:15-cv-1409
10)) **COMPLAINT;**
11)) FAIR DEBT COLLECTION PRACTICES
12 Plaintiff,)) ACT (15 U.S.C. § 1692a, *et seq.*);
13 vs.)) DEMAND FOR JURY TRIAL
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ASHLEY PEARSON,)
Plaintiff,)
vs.)
IQ DATA INTERNATIONAL, INC.,)
Defendant.)

17 **I. INTRODUCTION**

18 1. This is an action for damages brought by an individual consumer for Defendant's
19 violations of the federal Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter
20 "FDCPA").
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22 **II. JURISDICTION**

23 2. Plaintiff's claim for violations of the FDCPA arises under 15 U.S.C. § 1692k(d),
24 and therefore involves a "federal question" pursuant to 28 U.S.C. § 1331.
25

26 **III. PARTIES**

27 3. Plaintiff, Ashley Pearson ("Plaintiff"), is a natural person residing in Snohomish
28 County, Washington.

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4. Defendant, IQ Data International, Inc. (“Defendant”), is a corporation engaged in the business of collecting debts by use of the mails and telephone. Defendant regularly attempts to collect debts alleged due another.

IV. FACTUAL ALLEGATIONS

5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

6. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3).

7. All activities of Defendant set out herein were undertaken in connection with the collection of a “debt,” as defined by 15 U.S.C. § 1692a(5).

8. Within the last year, Defendant took multiple actions in an attempt to collect a debt from Plaintiff. Defendant's conduct violated the FDCPA in multiple ways, including the following.

9. Using false representations or deceptive practices in connection with collection of a debt, including falsely stating to Plaintiff in a telephone conversation that she would be unable to find a new place to rent until she paid the existing debt. Defendant had no basis to make this representation (§ 1692e(10)).

10. As a result of the aforementioned violations, Plaintiff suffered and continues to suffer injuries to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and severe emotional distress.

11. Defendant intended to cause, by means of the actions detailed above, injuries to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and severe emotional distress.

12. Defendant's actions, detailed above, were undertaken with extraordinary disregard of, or indifference to, known or highly probable risks to purported debtors.

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1 13. To the extent Defendant's actions, detailed above, were carried out by an
2 employee of Defendant, that employee was acting within the scope of his or her employment.
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4 **COUNT I: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT**

5 14. Plaintiff reincorporates by reference all of the preceding paragraphs.

6 15. The preceding paragraphs state a *prima facie* case for Plaintiff and against
7 Defendant for violations of the FDCPA.

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff respectfully prays that judgment be entered against the
10 Defendant for the following:

- 12 A. Declaratory judgment that Defendant's conduct violated the FDCPA;
13 B. Actual damages pursuant to 15 U.S.C. 1692k;
14 C. Statutory damages pursuant to 15 U.S.C. § 1692k;
15 D. Costs, disbursements and reasonable attorney's fees for all successful claims, and
16 any unsuccessful claims arising out of the same transaction or occurrence as the successful
17 claims, pursuant to 15 U.S.C. § 1692k; and,
18
19 E. For such other and further relief as may be just and proper.

21 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

24 Dated this 2nd day of September, 2015

26 By: s/Joshua Trigsted
27 Joshua Trigsted, WSBA#42917
28 Attorney for Plaintiff

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